

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP
(954) 797-1101

SUBJECT: Vacation/Abandonment

VA 4-1-01 FLR Company LLR, 5000 SW 82 Avenue/Generally located on the east side of SW 82 Avenue approximately 2000 feet south of Griffin Road.

TITLE OF AGENDA ITEM:

VA 4-1-01 FLR Company LLR, petitioner/owner (RM-5 and A-1)

REPORT IN BRIEF:

The applicant is requesting to vacate an ingress and egress easement that is not needed to provide access to adjoining properties, and does not serve any public purpose. The 15' ingress and egress easement is approximately 772 feet in length and was created to give the adjoining parcels access to SW 82 Avenue prior to the construction of University Drive. Staff has no objection to the request.

PREVIOUS ACTIONS:

None

CONCURRENCES:

The Planning and Zoning Board recommended approval of the request at its June 27, 2001 meeting (Motion carried 5-0).

FISCAL IMPACT:

None

RECOMMENDATION(S):

Motion to approve

Attachment(s):

Justification letter, Sketch and description, Land use map, Subject site map, Aerial

Application #: VA 4-1-01

Revisions:

Exhibit "A"

Original Report Date: 6/29/01

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation

APPLICANT INFORMATION

Owner/Agent:

Name: FLR Company LLR
Address: 350 South Ocean Boulevard #10B
City: Boca Raton, FL 33432
Phone: (561) 392-0999

BACKGROUND INFORMATION

Date of Notification: June 20, 2001 **Number of Notifications:** 17

Application History: No deferrals have been requested.

Application Request: To vacate a 15' ingress and egress easement approximately 772 feet in length within Tract 14, Section 33, Township 50 South, Range 41 East of the Everglades Sugar and Land Company Subdivision, as recorded in Book 3, Page 67 of the Public Records of Dade County, adjacent to the unrecorded plat known as "Madison Lakes".

Address/Location: 5000 SW 82 Avenue/Generally located on the east side of SW 82 Avenue approximately 2000 feet south of Griffin Road.

Future Land Use Plan Designation: Residential (5 DU/Acre) and Commercial

Zoning: RM-5, Low-Medium Density Dwelling District and A-1, Agricultural District

Existing Use: Undeveloped

Proposed Use: Open Space for Madison Lakes Townhomes community

Parcel Size: 0.266 acres (11,582 square feet)

Surrounding Uses:

North: Vacant Land
South: Madison Lakes Townhomes, under construction
East: Commercial retail building
West: Single-family home associated with an agricultural use

Surrounding Land

Use Plan Designation:

Residential (5 DU/AC)
Residential (5 DU/AC)

Commercial
Residential (3 DU/AC)

Surrounding Zoning:

North: RM-5, Low Medium Dwelling District

South: RM-5, Low Medium Dwelling District

East: A-1, Agricultural District and B-2, Community Business District

West: A-1, Agricultural District

ZONING HISTORY

Related Zoning History: 1. Town Council approved the site plan, SP 6-13-99 Madison Lake Townhomes, on November 3, 1999.

2. Town Council approved the plat request, P 2-3-99 “Madison Lakes”, on October 6, 1999. The plat has not yet been recorded.

Previous Request on same property: 1. Town Council approved a rezoning request, ZB 1-1-99 Vietnamese Buddhist Cultural Center, rezoning the subject site from A-1, Agricultural District to CF, Community Facilities District, in January 1999.

2. Town Council approved a rezoning request, ZB 3-1-00 Landau/Tham, rezoning the subject site from CF, Community Facilities District to RM-5, Low Medium Dwelling District, and B-2, Community Business District, on May 17, 2000.

APPLICATION DETAILS

The applicant is requesting to vacate a 15’ ingress and egress easement, approximately 772 feet in length, created on December 20, 1966 by warranty deed, and recorded in OR Book 3341, Page 659 of the Public Records of Broward County. The purpose of the easement was to give the adjoining parcels access to SW 82 Avenue prior to the construction of University Drive.

Applicable Codes and Ordinances

Section 12-310 of the Land Development Code, review of vacations or abandonments of right-of-way.

Summary of Significant Development Review Agency Comments

The Engineering Department, utility providers, and adjacent property owners do not object to the request.

Comprehensive Plan Considerations

Planning Area: The subject property falls within Planning Area 10. This Planning Area is generally located north of Stirling Road, south of Griffin Road, east of Pine Island Road, and west of SW 76 Avenue. Pine Island Road, a major north/south arterial, on the western limits of this planning area provides through access from Griffin Road to Stirling Road. Commercial development of retail centers and office buildings line the University Drive corridor. The east side of this corridor is predominantly small-scale commercial development, with multi-family residential development (one existing, one proposed) and plant nurseries on the northern half of the corridor, and commerce park development and cattle grazing on commerce park-zoned lands on the southern half. Commercial development also exists along Griffin Road within this planning area. Several small-scale

single-family residential communities, two trailer parks totaling approximately 30 acres in area, and an 8 acre industrial park are located within this planning area, together with six parcels zoned for community facilities uses. These include, but are not limited to, a regional library, multiple church uses varying scales, a girl scout campground facility, and a private school.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

Applicable Goals, Objectives & Policies: None.

Staff Analysis

The subject site has been dedicated for wetlands associated with the "Madison Lakes" unrecorded plat and Madison Lakes Townhomes site plan. The easement is not needed to provide access to adjoining properties, and does not serve any public purpose. Staff has no objection to the request.

Findings of Fact

Vacations or abandonments of right-of-way:

Section 12-310 (A)(1):

The following findings of facts apply to the vacation requested:

(a) It will not adversely affect access to neighboring properties.

(b) It will not be in conflict with the public interest.

Staff Recommendation

Recommendation: Based upon the above and the finding of facts in the positive, staff recommends **approval**, of petition VA 4-1-01.

Planning & Zoning Board Recommendation

The Planning and Zoning Board recommended approval of the request at its June 27, 2001 meeting (Motion carried 5-0).

Exhibits

1. Justification letter, 2. Sketch and description, 3. Land use map, 4. Subject site map,
5. Aerial

Prepared by: _____

Reviewed by: _____

FLR COMPANY LLC

350 S OCEAN BLVD
#10B
BOCA RATON FL 33432

Town of Davie
6591 Orange Dr.
Davie FL 33314

April 6 - 2001

Re: Ingress & Egress Easement

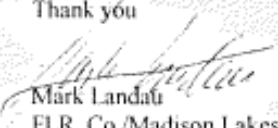
To whom it may concern.

We are the legal owners of the West 3 acres of the North 1/2 of Tract 14 of The Everglades Sugar and Land Co. Subdivision, of Section 33, Township 50 South, Range 41 East, according to the Plat thereof recorded in Plat Book 3, page 67 of the Public Records of Miami - Dade County, FL, Together with an Easement for ingress and egress over and across the 15 feet.

That easement will never serve any purpose as this tract of land was dedicated for wet-lands.

FLR Co./ Madison Lakes hereby requesting for this easement to be removed.

Thank you



Mark Landau

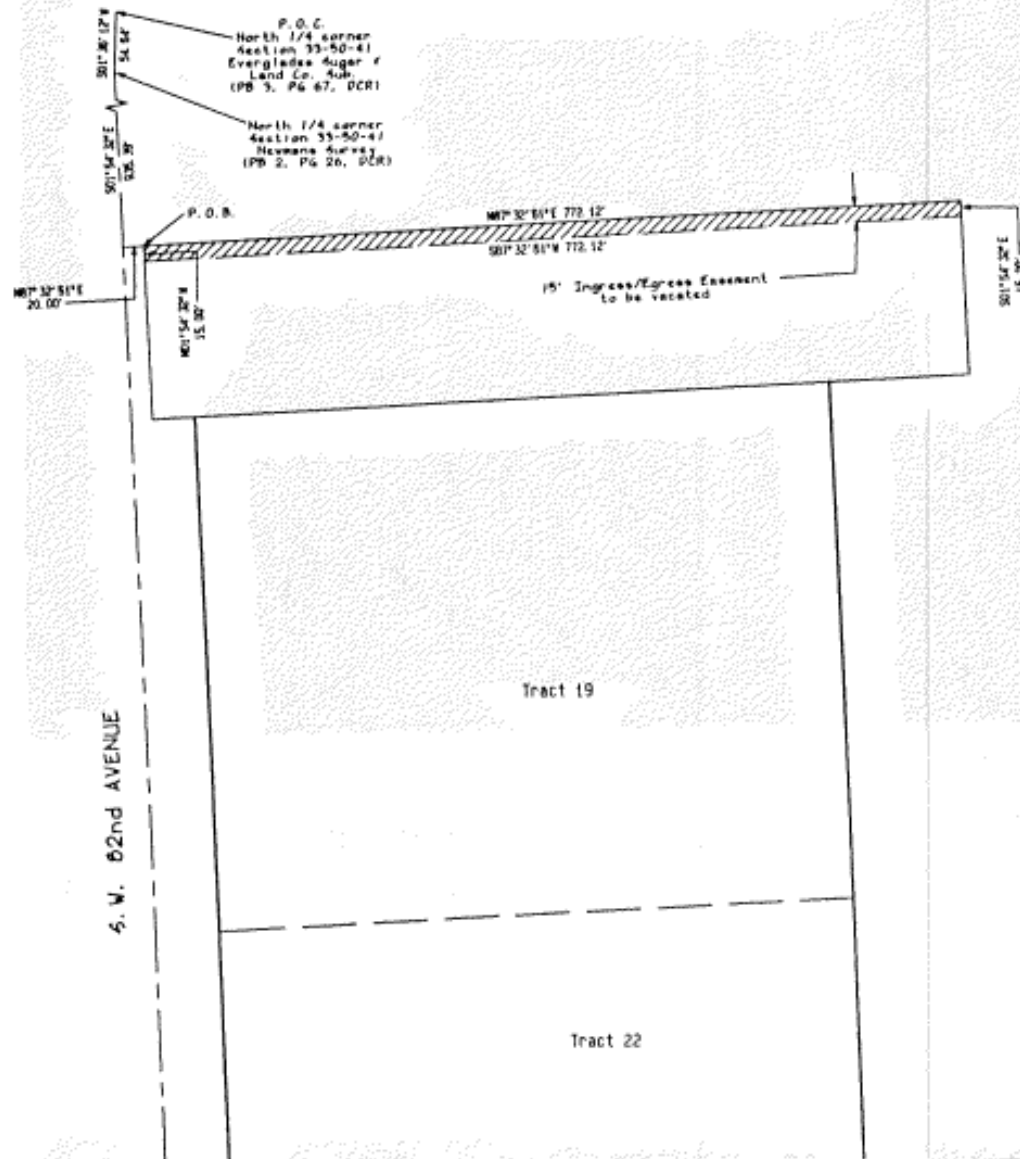
FLR Co /Madison Lakes

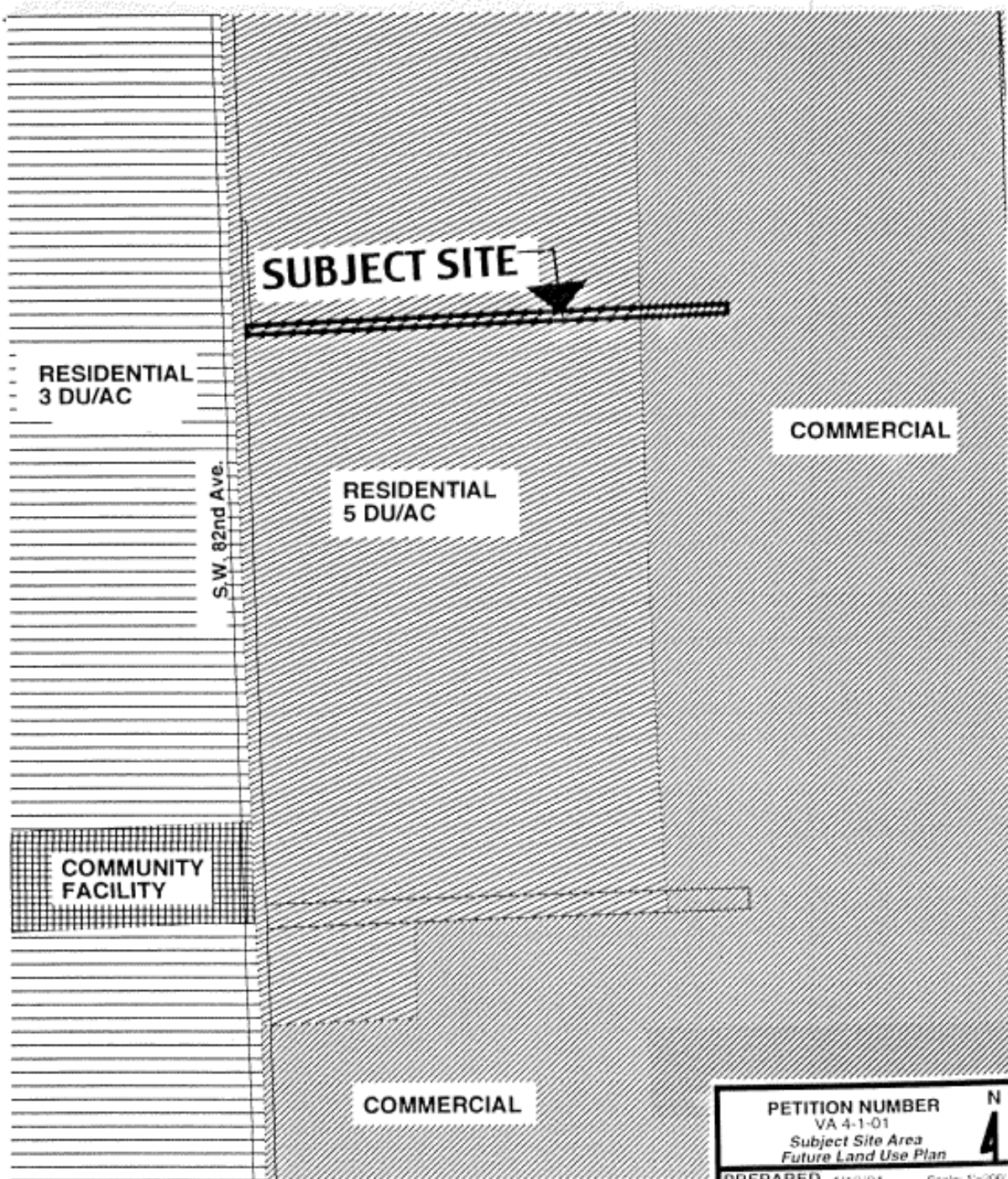
SKETCH & DESCRIPTION OF 15' INGREE/EGRESS EASEMENT TO BE VACATED

A portion of Tract 14, Section 33, Township 50 South, Range 41 East, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, as recorded in Plat Book 3, Page 67 of the Public Records of Dade County, Florida, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 33, EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION; thence South 01°36'12" West, a distance of 54.64 feet to the North 1/4 corner of said Section 33, NEWMAN'S SURVEY, as recorded in Plat Book 2, Page 26 of the Public Records of Dade County, Florida; thence South 01°54'32" East, a distance of 935.39 feet; thence North 87°32'51" East, a distance of 20.00 feet to the POINT OF BEGINNING; thence continue North 87°32'51" East, a distance of 772.12 feet; thence South 01°54'32" East, a distance of 15.00 feet; thence South 87°32'51" West, a distance of 772.12 feet; thence North 01°54'32" West, a distance of 15.00 feet to the POINT OF BEGINNING.

Said lands situate, lying and being in the Town of Davie, Broward County, Florida, containing 11,582 square feet (0.266 acres), more or less.





PETITION NUMBER		N 4
VA 4-1-01		
Subject Site Area Future Land Use Plan		
PREPARED	4/19/01	Scale: 1"=200'
BY THE PLANNING & ZONING DIVISION		

S.W. 82nd Ave.

A-1

11

SUBJECT SITE



B-2

14

A-1

RM-5

19

Renaissance Plaza
(123-30)

B-3

Tract "A"

22

R-5

CF

A-1

27

R-5

University Park West (123-30)

A-1

B-3

PETITION NUMBER
VA 4-1-01

Subject Site Area Zoning Map

PREPARED 4/19/01 Scale: 1"=200'
BY THE PLANNING &
ZONING DIVISION

N

4

